

REMARKS

The Office Action dated January 28, 2008, has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto.

By the foregoing amendment, claims 1 and 2 have been amended for clarification purposes. No new matter has been added. Thus, claims 1 and 3 are currently pending and subject to examination. Reconsideration of the application is respectfully requested in view of the foregoing amendment and the following remarks.

I. Allowable Subject Matter

The Applicants thank the Examiner for the indication that claims 1 and 2 contain allowable subject matter and would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph.

II. 35 U.S.C. § 112, First Paragraph

Claims 1 and 2 are rejected under 35 U.S.C. § 112, first paragraph as including subject matter not included in the written description. The Office Action asserts that “determining whether a cycle of the detected wobble signal is 186 times or 32 times as long as a data cycle, by comparing the cycle of the detected wobble signal to a cycle of a reproduced signal” in claim 1 and corresponding language in claim 2 is not supported in the written description.

The Applicants note that claims 1 and 2 have been amended to clarify that the wobble signal is compared to a “reproducing signal” or RF signal. The Applicants note that at least page 2, lines 19-20 describe determining whether a cycle of a detected wobble signal is 186 times or 26 times as long as a data cycle and page 9, lines 1-7 disclose determining whether the wobble cycle is “186T” or “32T” and that “T is a data cycle, i.e. a cycle of a reproducing signal (RF signal).” Thus, the Applicants submit that claims 1 and 2, as amended, are supported fully by the written description and request the withdrawal of the rejection under 35 U.S.C. § 112, first paragraph.

III. 35 U.S.C. § 112, Second Paragraph

Claims 1 and 2 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite because there is no source for a “reproduced signal.” Claims 1 and 2 have been amended responsive to this rejection. Claims 1 and 2 have been amended to clarify that a reproducing signal is detected from the recording surface of the disk. Therefore, the Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 112, second paragraph. If any further amendment is required to overcome this rejection, the Examiner is requested to contact the undersigned representative.

CONCLUSION

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing Attorney Dkt. No. 100341-00046.**

Respectfully submitted,



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